IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(Crl.).No. 14 of 2007(S)

PETITIONER:

R. GANESHAN,
LEKSHMI BHAVAN, RESIDENCY ROAD,ASHRAMAM, KOLLAM-2.

BY ADV. SRI.LATHEESH SEBASTIAN
SRI.R.ARUN

RESPONDENTS:
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1. THE SUPERINTENDENT OF POLICE,
KOLLAM DISTRICT.

2. THE CIRCLE INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION, KOLLAM DISTRICT.

3. CIRCLE INSPECTOR OF POLICE,
EAST FORT POLICE STATION, THIRUVANANTHAPURAM.

4. RAJESH S.,
T.C.40/1591 (1) SREELEKSHMI, MANACAUD P.O.,
THIRUVANANTHAPURAM.

5. E. ARUMUGHAM ACHARI, -D0- -DO-.

BY GOVT.PLEADER SRI.P.A.SALIM
ADV.SRI.D.KISHORE

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN,JJ.

W.P.(Crl)No.14 OF 2007 (S)

Dated 22nd January, 2007

JUDGMENT

Koshy,J.

This is a petition for Habeas corpus filed by the father of one Saraswathi alleging that, while Saraswathi was studying for B.D.S., she was taken away by respondents 4 and 5 against her will. It is submitted that petitioner and 5th respondent are close relatives, brother-in-laws. Fourth respondent is the son of 5th respondent. It is submitted further that the customary marriage took place in the temple and also notice was already given under the Special Marriage Act. Both petitioner as well as the 4th respondent were present. It is submitted by the 4th and 5th respondents that if the girl is willing for continuing studies for B.D.S., they will allow her to study. Both are of the same religion and caste. Hence we advised them to conduct a common reception and in any event, the girl has completed the age of 18. Since she is major and she stated that she is not under illegal custody, this writ petition is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

prp